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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

AMERICAN NAVIGATION SYSTEMS,  
INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG ELECTRONICS AMERICA,  
INC., and SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
LLC,

Defendants.

Case No. 3:14-cv-05298-JST

**STIPULATION AND ~~PROPOSED~~**  
**ORDER STAYING CASE PENDING**  
**INTER PARTES REVIEW**  
**PROCEEDINGS**

STIPULATION AND ~~PROPOSED~~  
ORDER STAYING CASE PENDING  
INTER PARTES REVIEW PROCEEDINGS  
NO. 3:14-CV-05298-JST

1 Plaintiff American Navigation Systems, Inc. (“AmNav”) and Defendants Samsung  
2 Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively “Samsung”)<sup>1</sup>  
3 hereby submit this stipulation and proposed order.

4 WHEREAS, on March 6, 2015, Samsung, Apple Inc. (“Apple”), and non-party Google  
5 Inc. filed two petitions with the U.S. Patent and Trademark Office (“PTO”) for administrative  
6 *inter partes* review of asserted U.S. Patent No. 5,902,347 (“’347 Patent”), numbered  
7 IPR2015-00849 and IPR2015-00851.

8 WHEREAS, “Courts have inherent power to manage their dockets and stay  
9 proceedings, including the authority to order a stay pending conclusion of a PTO  
10 reexamination.” *Ethicon, Inc. v. Quigg*, 849 F.2d 1422, 1426-27 (Fed. Cir. 1988) (internal  
11 citations omitted); *Advanced Micro Devices, Inc. v. LG Elecs., Inc.*, No. 14-cv-01012-SI,  
12 2015 WL 545534, at \*2 (N.D. Cal. Feb. 9, 2015).

13 WHEREAS, Samsung urges that it is in the interests of the Parties and the Court to  
14 stay the above-captioned case pending final resolution of the *inter partes* review petitions and  
15 associated proceedings pertaining to the ’347 Patent.

16 WHEREAS, AmNav does not oppose a stay that would last until the PTO decides  
17 whether to institute *inter partes* review (Dkt. No. 106).

18 IT IS HEREBY STIPULATED AND AGREED by and between AmNav and Samsung,  
19 and subject to the approval of the Court, that:<sup>2</sup>

20 1. The entirety of this case shall be stayed pending the decision by the PTO  
21 whether to institute *inter partes* review in response to the two petitions. If the PTO institutes  
22 *inter partes* review, the stay will continue through final resolution; in the event that the PTO  
23 has not instituted *inter partes* review within the timeframe set forth by 35 U.S.C. § 314(b),  
24 the stay will expire without further action by the Court. All remaining hearings and deadlines

25  
26 <sup>1</sup> Samsung Telecommunications America LLC merged into Defendant Samsung Electronics  
America, Inc. as of January 1, 2015, and no longer exists as a separate entity. Dkt. No. 69.

27 <sup>2</sup> Apple and AmNav are filing a substantively identical stipulation and proposed order in their  
28 case.

1 set forth in the Initial Scheduling Order (Dkt. No. 102) are therefore hereby vacated.

2           2.       In the event the PTO (i) denies *inter partes* review on all petitioned grounds for  
3 any claim of the '347 Patent, or (ii) dismisses an *inter partes* review proceeding in whole or  
4 in part following institution, AmNav intends to file a motion requesting that the Court lift this  
5 stay. All briefing and argument pertaining to such a motion shall be conducted according to  
6 the Federal Rules, Local Rules, and Standing Orders of this Court.

1  
2 Dated: March 25, 2015

Dated: March 25, 2015

3  
4 By: /s/ Barry Barnett

By: /s/ David S. Almeling

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**ATTORNEY ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from each of its signatories.

Dated: March 25, 2015

By: /s/ David Almeling  
David Almeling

1 The above **STIPULATION AND ~~[PROPOSED]~~ ORDER STAYING CASE**  
2 **PENDING INTER PARTES REVIEW PROCEEDINGS** is Approved and all parties shall  
3 comply with its Provisions.

4 IT IS SO ORDERED.

5  
6 Dated: March 27, 2015

7  
8  
9 OMM\_US:73459342.2

